

UNITED STATES OF AMERICA,)
)
 v.) Docket No. 2:19-cr-55
)
 GREGORY MILLER,)
 Defendant.)

NOW COMES the United States of America, by and through its attorney, Christina E. Nolan, United States Attorney for the District of Vermont, and moves for pretrial detention of the above-named defendant pursuant to 18 U.S.C. § 3142(e) and (f).

2. Reason For Detention. The Court should detain the defendant because there are no conditions of release which will reasonably assure the safety of the community.

The nature and circumstances of the offense charged are exceedingly serious, and the evidence against the defendant quite strong. On July 6, 2018, New York City Police Department Detective Miguel Soto was shot in the line of duty with an Armscor of the Philippines, model M1911-A1FS .45 caliber semi-automatic pistol. Agents with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) quickly learned that the firearm had been purchased in Rutland, Vermont less than a year before the shooting. The ATF investigation in Rutland revealed that the firearm had been stolen from Henry Duval, a friend of co-defendant Jennifer Griffin. Through various interviews, ATF agents developed probable cause to search the contents of

Facebook accounts belonging to defendants Griffin, Stone, and Miller. In those accounts, agents located messages between Miller and co-defendant Kenneth Stone discussing trading a firearm for narcotics, and a photograph of Duval's stolen Armscor of the Philippines, model M1911-A1FS .45 caliber semi-automatic pistol which Stone had sent to Miller. Further, within Miller's Facebook account, agents located messages from Miller attempting to arrange violent retribution on a state inmate who had spoken to ATF agents about Duval's stolen firearm.

In addition, the history and characteristics of defendant Miller warrant detention. Defendant Miller is believed to have had a substantial addiction to opiates and cocaine base, and based on the information obtained from the Facebook search warrant, Miller also has previously distributed various controlled substances. The instant offense appears to have occurred while defendant Miller was pending trial for grand larceny and possession of stolen property. As such, Defendant Miller's release would pose an unacceptable danger to the community, and he should be detained pending trial in this matter.

3. Time For Detention Hearing. The United States requests the Court conduct the detention hearing after a three-day continuance, as provided in 18 U.S.C. § 3142(f)(2), to provide the United States Probation Officer sufficient time to investigate the defendant's drug abuse, living situation, criminal history, and the nature and seriousness of the danger that would be posed by the defendant's release.

Dated at Burlington, in the District of Vermont, this 8th day of April, 2019.

Respectfully submitted,

UNITED STATES OF AMERICA

CHRISTINA E. NOLAN
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By: /s/ Jonathan A. Ophardt

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